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Letter dated 29 August 2013 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 29 August 2013, addressed to you by Sertaç Güven, Chargé d'affaires a.i., of the Turkish Republic of Northern Cyprus (see annex). I would be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 43, and of the Security Council.

(*Signed*) Y. Halit Çevik
Permanent Representative

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Annex to the letter dated 29 August 2013 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to convey herewith a copy of the letter dated 27 August 2013 addressed to you by Dr. Derviş Eroğlu, President of the Turkish Republic of Northern Cyprus (see enclosure).

I should be grateful if the text of the letter could be circulated as a document of the General Assembly, under agenda item 43, and of the Security Council.

(*Signed*) Sertaç **Güven**
Chargé d'affaires a.i.
Turkish Republic of Northern Cyprus

Enclosure

I am writing to bring to your kind attention a legislative act recently adopted by the Greek Cypriot House of Representatives which has caused great concern among our people, as it fosters intolerance against the Turkish Cypriots in the island and hampers prospects for building trust and confidence.

The amendment law relating to "standardization" of geographical names, which entered into force on 19 July 2013, aims to penalize, through imprisonment and/or payment of fine, anyone who edits, imports, releases, offers, distributes or sells maps, books or other documents, conventionally or digitally printed, which contain geographical or other names and place names, if they do not conform to the names designated by a Greek Cypriot committee, the "Cyprus Permanent Committee for the Standardization of Geographical Names".

With this amendment, the Greek Cypriot side seeks to punish anyone who acts against the decisions of this Committee which has, in the guise of "standardization", unilaterally portrayed geographical and place names in the whole island, including the North, as exclusively Greek. This is clearly an attempt, with racist underpinnings, to ignore or reject the presence of all other civilizations in the island in its long multicultural heritage.

Place names can identify and reflect culture, heritage and landscape and are important as significant elements of the cultural heritage of a nation as emphasized in resolutions V/6 and VIII/9 of the United Nations Conference on the Standardization of Geographical Names. The United Nations has taken a leading role in facilitating the setting of common rules for the standardization of names in the Conferences held under its auspices. The guiding principle adopted for standardization in these Conferences has been a practical one; it relates to how the inhabitants refer to an area.

The Greek Cypriot Committee, on the other hand, admitted before a number of United Nations Conferences, such as in the report it submitted to the Fifth United Nations Conference on the Standardization of Geographical Names in 1987, its own inability to engage in proper standardization in the North where it does not have the competence to verify place names under the control and jurisdiction of the Turkish Cypriot authorities, where the Greek Cypriot administration exercises no control or jurisdiction. The amendment provides for punishment for anyone who parts from the geographical names and place names submitted in the above-mentioned Conference. The purported "standardization" by the Greek Cypriot Committee is *ultra vires*, and *void ab initio*. As far as the South itself is concerned, the work of the Committee is criticized even by Greek Cypriot experts for serving "nationalistic interests" aimed at "Greek Cypriotization" of the island, and for being intolerant towards other cultures and civilizations.

The current legislation, which intends to take this inherently hostile process forward, violates human rights, including the freedom of expression. Although human rights instruments do not give authorities a licence to meddle with fundamental rights by being the arbiter of what is acceptable speech, and therefore acceptable opinion, this amendment intends to dictate the result of the "standardization" process, one that aims to exclude the Turkish Cypriot culture and cultural identity in the island, as the only opinion.

In addition to being ill-conceived, from a legal perspective, the amendment also lacks the quality of a law. It is too broad and vague, the "acceptable" names referred to are not even readily available and the amendment provides no guidance or foreseeability. Any legislation whose sole aim is to reinforce "Greek Cypriotization" of the island to the exclusion of all other civilizations cannot be a necessary measure in a democratic society. Enforcing such "standardization" through legislation involving imprisonment cannot constitute a "restriction proportional to the aim sought". As such, the amendment fails to meet the criteria required to pass scrutiny foreseen in international human rights instruments.

The immediate impact of this unfortunate legislation has been the deepening of mistrust between the two sides, and constitutes a serious obstacle to the work of the Technical Committees, which themselves aim to build confidence between the two sides by improving the daily life of ordinary people on both sides of the island. It is also a challenge to the delicate humanitarian work of the Committee on Missing Persons.

Although the purported "standardization" has been going on for some time, the current legislation to enforce the result of this process is very recent as well as ominous. It should be noted that this is among the first practices under the administration of newly elected Greek Cypriot leader Mr. Anastasiades. This piece of legislation, adopted unanimously, is sending a strong negative signal to the Turkish Cypriots before the negotiations in October. Contrary to your call for positive public messaging, this unfortunate move only serves to fuel ultra-nationalist sentiments encouraging extremist groups, such as the "ELAM" youth organization, which destroyed name plates in Turkish in the town of Larnaca in the South only in April this year, in their destructive behaviour.

I appeal to you to use your good offices to impress upon the Greek Cypriot side that it should desist from such harmful activities that are bound to have a negative effect on our efforts to start the negotiations and should concentrate their efforts on reconciliation and building confidence.

(*Signed*) Dr. Derviş **Eroğlu**
President